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jc891 U.S. PTO

CONTINUATION APPLICATION TRANSMITTAL UNDER RULE 33(b)
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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12-n-00

ARENT FOX KINTNER PLOTKIN & KAHN, PLLC
1050 Connecticut Avenue, N.W.,
Suite 600
Washington, DC 20036-5339
Telephone: (202) 857-6000
Facsimile: (202) 638-4810

Docket No. P100564-00030
Date: October 10, 2000

jc913 U.S. PTO
09/684383
10/10/00

Commissioner for Patents
Washington, D.C. 20231

Sir:

Transmitted herewith for filing under 37 C.F.R. §1.53(b) is a

- ☐ Continuation ☒ Divisional ☐ Continuation-in-Part

application of prior pending Application No. 09/218, 176 filed December 22, 1998,

For (Title): A METHOD OF TREATMENT WITH GROWTH/DIFFERENTIATION FACTORS OF THE TGF- β FAMILY

By (Inventors): Gertrud HÖTTEN, Helge NEIDHARDT, Rolf BECHTOLD, Jens POHL, Michael PAULISTA

1. ☒ A Declaration and Power of Attorney is attached. The attached Declaration and Power of Attorney is:
- ☒ a. A copy of the Declaration and Power of Attorney from the parent application. (Used with the same or fewer inventors and (a) a copy of the prior application or (b) a revised, reformatted or edited version of the prior application that does not contain new matter.)
 - ☐ b. A new Declaration and Power of Attorney. (Used with the same, fewer or additional inventors and (a) a copy of the prior application, (b) a revised, reformatted or edited version of the prior application that does not contain new matter, or (c) a new specification.)
2. ☒ The filing fee based on entry of the concurrently filed Preliminary Amendment is calculated below:

CLAIMS IN THE APPLICATION AFTER ENTRY OF
ANY PRELIMINARY AMENDMENT NOTED BELOW

FOR:	NO. FILED	NO. EXTRA
BASIC FEE		
TOTAL CLAIMS	05 - 20	= 0
INDEP CLAIMS	01 - 3	= 0
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIMS PRESENTED		

* If the difference is less than zero, enter "0".

SMALL ENTITY			OTHER THAN A SMALL ENTITY		
RATE	FEE	OR	RATE	FEE	
	\$ 355	OR		\$ 710	
x 9 =	\$ 00	OR	x 18	\$ 00	
x 40 =	\$ 00	OR	x 80	\$ 00	
+135 =	\$ 00	OR	+270	\$ 00	
TOTAL	\$ 00	OR	TOTAL	\$ 710	

3. ☒ A Check in the amount of Seven Hundred Ten Dollars (\$710) to cover the filing fee is attached. The Commissioner is hereby authorized to charge any other fees that may be required to complete this filing, or to credit any overpayment, to Deposit Account No. 01-2300.
4. ☐ Cancel claim of the application before calculating the filing fee. At least one independent claim is retained for filing purposes.
5. ☒ Amend the specification by inserting before the first line the sentence:

--This is a ☐ Continuation ☒ Division ☐ Continuation-in-Part of Application No. 09/218,176 filed December 22, 1998, which in turn is a Continuation Application of Parent Application No. 08/679,048 filed July 12, 1996, which is a continuation-in-part of U.S. Serial Number 08/482,557

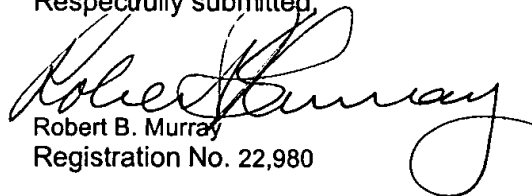
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filed July 6, 1995. The disclosure of the prior application(s) is hereby incorporated by reference herein in its entirety.--

6. ☒ Formal drawings (Figs. 1-9) are attached.
7. ☒ Priority of foreign application Nos. 91 102 324.8, P44 23 190.3 and 195 11 243.1 filed December 2, 1992, July 1, 1994 and March 27, 1995 in Europe, Germany and Germany are claimed under 35 U.S.C. §119 and/or §365(b).
8. ☒ The certified copy was filed in prior Application No. 08/482,557 on July 6, 1995.
9. ☐ A certified copy of the above foreign application(s) is attached.
10. ☐ Priority of U.S. Provisional Application(s) No. -- filed -- is claimed under 35 U.S.C. §119(e).
11. ☐ Amend the specification by inserting before the first line the sentence:
--This nonprovisional application claims the benefit of U.S. Provisional Application(s) No.-- filed --
12. ☒ The prior application is assigned of record to Biopharm Gesellschaft zur Biotechnologischen Entwicklung von Pharmaka MBH recorded at Reel 8294, Frame 0598 on November 4, 1996.
13. ☐ This application is filed by fewer than all the inventors named in the prior application (37 C.F.R §1.53(b)(1)). Delete the following inventor(s) named in the prior application:
14. ☒ A Preliminary Amendment is attached.
15. ☒ An Information Disclosure Statement is attached along with Form PTO-1449.
16. ☒ The Power of Attorney in the application is to Robert B. Murray, Reg. No. 22,980; Charles M. Marmelstein, Reg. No. 25,895; George E. Oram, Jr., Reg. No. 27,931; Douglas H. Goldhush, Reg. No. 33,125; David T. Nikaido, Reg. No. 22,663; Monica Chin Kitts, Reg. No. 36,105; Richard J. Berman, Reg. No. 39,107;.
17. ☒ Change of Address, Substitute Declaration
18. ☒ Address all future communications to:

ARENT FOX KINTNER PLOTKIN & KAHN, PLLC
1050 CONNECTICUT AVENUE, N.W.,
SUITE 600
WASHINGTON, D.C. 20036-5339

Respectfully submitted,


Robert B. Murray
Registration No. 22,980

ARENT FOX KINTNER PLOTKIN & KAHN, PLLC
1050 Connecticut Avenue, N.W.,
Suite 600
Washington, D.C. 20036-5339
Tel: (202) 857-6000
Fax: (202) 638-4810

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